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UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

Case Number: Redacted by Examiner Palabrica

For: METHOD TO CONTROL REACTIONS
INVOLVING ISOTOPIC FUEL
WITHIN A MATERIAL USING
ORTHOGONAL ELECTRIC-FIELDS

Serial no. 09/ 748,691

Filed: 12/26/2000

This is a division of Serial no. 07/ 760,970

Filed: 09/17/1991

Group Art Unit: 3641

Examiner: Palabrica, R.J.

August 29, 2011

DECLARATION OF GAYLE VERNER

I, Gayle Verner, declare that I am a citizen of the United States of America.

1. My field of experience is that of a journalist and educator. For over 18 years, I have been a nationally published journalist who has written extensively in many fields including science, medicine, and energy conversion. I have earned the degree of Master in Education from the Harvard Graduate School of Education. I have published (primarily for People Magazine, USA Today, and American Health Magazine) many articles for national and regional journals, newspapers, and newsletters. I make the following statements independently and not as a representative of any publication.

2. I have read the record of the above-entitled application including the recent Communication from the Office. The Examiner's contention that applicant/appellant did not mail Forms 1440 and submit references before FINAL is not true. I have examined Applicant, Dr. Mitchell Swartz's (personal file copy of his) documents which was dated, submitted, and sent to the Office

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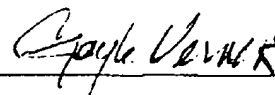
in November, 2002. I can honestly testify that Forms 1440 were indeed included in this November, 2002 mailing to the Office.

3. I have examined the postal card from the USPTO, whose stamped date also confirms that those materials reached the Office in November, 2002.

4. It is my observation that the U.S. Patent Office is behaving mischievously regarding Evidence sent to them by Dr. Swartz.

Gayle Verner
Wellesely Hills, Massachusetts

August 29, 2011



Gayle Verner
Wellesley, Massschusetts

I declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Gayle Verner
Wellesley, Massschusetts

Date: August 29, 2011

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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09/748,691	26 December 2000	SWARTZ, MITCHELL R.	

Mitchell R. Swartz, ScD, MD, EE
16 Pembroke Road
Weston, MA 02493

Exhibit "A"

EXAMINER

RICARDO PALABRICA

ART UNIT	PAPER
3663	20110823

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

1. The attached IDS, which was included in the 3/28/03 Amendment after final, was not considered because said Amendment was not entered into the record of prosecution of this application. See 4/15/03 Advisory Action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICARDO PALABRICA whose telephone number is (571)272-6880. The examiner can normally be reached on 6:00-4:30, Mon-Thurs. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 23, 2011

/Rick Palabrica/
Primary Examiner, Art Unit 3663

United States Patent Office

The date stamp on this postcard will indicate receipt of communication of 9/5/02.

1. Applicant's response to Communication of 9/5/02.
2. with a Certificate of Mailing on the last page.
3. Declaration of Dr. Mitchell R. Swartz.
4. Declaration of additional Declarations.
5. A packet of References with Forms 1440.
6. Several packets of References requested by the Examiner.
7. A copy of Abstract requested by Rule 116 (11/2/93).
8. A copy of a amendment under Rule 116 (11/2/93).
9. From 1970: a amendment under Rule 116 (11/2/93).
10. From 1970: reply letter to Examiner (4/23/94) and
11. Appendix "Introduction to Barriers" and
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S.N. 09/748 591 Filed 12/26/2000

Dr. M. Swartz

Thank you.

Mailed: November 4, 2002